

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

WILLIAM HEBERT

VS.

WAL-MART STORES, INC.

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CIVIL ACTION NO. 3:13-cv-00440

**STIPULATION OF DISMISSAL WITH PREJUDICE
PURSUANT TO FED. R. CIV. P. 41 (A)(1)(ii)**

The parties hereby request the court to sign the attached order acknowledging this stipulation of dismissal with prejudice against Wal-Mart Stores, Inc., pursuant to FED. R. CIV. P. 41(a)(1)(A)(ii), on the grounds that Wal-Mart Stores, Inc. is not a proper defendant to this action.

For these reasons, the parties ask the Court to enter a dismissal with prejudice.

Respectfully submitted,

LEMBERG LAW, L.L.C.

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ATTORNEYS FOR DEFENDANT,
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CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of February, 2014, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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/s/ Jody B. Burton

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